

Reply to Final Office Action of December 11, 2007
Appl. No. 10/719,588
Group Art Unit: 1617

Remarks

The foregoing amendments and following remarks are responsive to the December 11, 2007 Final Office Action. Applicants respectfully request reconsideration.

Status of the Claims

Claims 2-5 and 14-17 are amended. Claims 18-21 are added. Claims 1 and 13 are cancelled. Claims 10-12 were cancelled previously. Claims 6-9 were withdrawn, without prejudice, and may be subject to rejoinder. Claims 2-5 and 14-21 are pending.

Support for Amendments to the Claims/Added Claims

Support for the amendments to Claims 2-5 and 14-17, and new Claims 18-21, is found on page 3, lines 17-19 and page 4, lines 15-20 of the specification. No new matter is added.

Rejections under 35 U.S.C. § 112, first paragraph

Claims 16-17 were rejected as containing subject matter which was not described in the specification. The Examiner's attention is directed to page 3, lines 17-19, and page 4, lines 15-20, where the amounts of the compounds in the cosmetic preparations and pharmaceutical compositions are described. Therefore, no new matter has been added. The Examiner is respectfully requested to reconsider and withdraw the rejection.

Rejections under 35 U.S.C. § 102(b)

Claims 1 and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Publication No. XP-002298686 (Garland). Claims 2-5 and 14-17 are amended to clarify the invention. Claims 1 and 13 are cancelled, rendering the rejection moot.

Since Garland does not disclose hexamethyl dicyclopentane or hexamethyl dicyclohexane, Garland fails to anticipate the invention as claimed, and the rejection

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should be withdrawn. Reconsideration and withdrawal of the rejection are respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 2-5 and 14-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garland in view of International Publication No. WO 89/00077 (Luisi). The Examiner asserts that Garland does not teach the particular compound of formula (III) or formula (IV), and that Garland does not teach the amounts of bicyclohexyl compounds in compositions. Applicants agree.

In support of the rejection, the Examiner relies on Luisi as teaching suitable amounts. Luisi discloses a lecithin gel that includes an organic solvent and water. Luisi discloses a bicyclohexyl compound, but there is no disclosure of a hexamethyl dicyclopentane or hexamethyl dicyclohexane compound. There is also no teaching or line of reasoning provided to one skilled in the art that a suitable amount of a bicyclohexyl compound in the Luisi lecithin gel composition would have been a suitable amount for the compounds according to formulas (III) or (IV).

Therefore, based on Garland and Luisi, it would not have been obvious to one skilled in the art to arrive at the invention, absent Applicants' disclosure, and the rejection should be withdrawn. Reconsideration and withdrawal of the rejection are respectfully requested.

Supplemental Information Disclosure Statement (IDS)

The Examiner is respectfully requested to consider the WO 89/00077 reference provided in a Supplemental IDS on September 13, 2007, and initial, date, and return a copy of Form PTO-1449 to the undersigned. An additional copy of Form PTO-1449 is enclosed for the Examiner's convenience.

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Fees

No fees are believed due. The Commissioner is authorized, however, to charge any fees deemed due (or credit any balance owing) to Deposit Account No. 50-1177.

Conclusion

It is respectfully submitted that Claims 2-5 and 14-21 are in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is invited to contact Applicants' attorney at the telephone number indicated below if anything further is needed to advance the allowance thereof.

Respectfully submitted,

February 6, 2008

Date



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Enclosure: Copy of Form PTO-1449 filed 9/13/07

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.